

**PAUL BATISTA, P.C.
Attorney-at-Law
26 Broadway - Suite 1900
New York, New York 10004
(631) 377-0111**

e-mail: Batista007@aol.com

Facsimile: (212) 344-7677

April 1, 2024

VIA ECF

Hon. Ramon E. Reyes, Jr.
United States District Judge for the
Eastern District of New York
United States District Court
225 Cadman Plaza East
Courtroom 2E North
Brooklyn, New York 11201

**Re: Rivka Mandel v. Jacob Daskal, et al.,
1:23-cv-07352 (RER) (VMS)**

Dear Judge Reyes:

I represent plaintiff Rivka Mandel in the above-entitled litigation.

I write in connection with the March 27, 2024 letter from the attorneys for Jacob Daskal ("Daskal"), who pursuant to a sentence imposed on October 11, 2023 by Judge Garaufis is now serving a 17.5-year sentence stemming from his sexual abuse, including rape, of Ms. Mandel when she was 15 years old.

The ostensible purpose of the March 27, 2024 letter from Daskal's attorneys is to request a pre-motion conference with respect to a motion under Fed. R. Civ. P. 12, including a request for a more definite statement under Fed. R. Civ. P. 12(e).

On the narrow issue presented by the Daskal letter, I have no opposition to the request for a pre-motion conference. (This should not, of course, be construed as any kind of concession that Daskal has any basis for a claim to relief under any provision to the Federal Rules of Civil Procedure.)

At the moment, together with counsel to several additional defendants, I am in the process of assisting those counsel to develop a briefing schedule for motions they intend to bring under Fed. R. Civ. P. 12. A letter containing that agreed-upon schedule is being prepared for filing no later than tomorrow, April 2.

I respectfully suggest that counsel to Daskal join in the development and filing of the joint scheduling letter now under preparation.

Respectfully submitted,



Paul Batista

cc: All Counsel of Record